

# THE BOURBON NEWS.

PUBLISHED EVERY TUESDAY AND FRIDAY IN THE YEAR.

VOLUME XXVIII

PARIS, KENTUCKY, FRIDAY, FEBRUARY 28, 1908

NUMBER 4

## City Council Meeting.

At the regular meeting of the Paris City Council last night, Mayor James M. O'Brien, presented the following communication to the board which explains itself:

Paris, Ky., February 27, 1908.

To the Board of Council of the City of Paris, Ky.

Gentlemen:—At the last regular meeting of this Board, I was instructed to sign the bonds recently issued for school purposes and deliver them to the purchasers upon the payment of the agreed price. At the same meeting the following order was made and entered upon the record:

"Moved by Mr. Parrish, seconded by Mr. Woods, that the \$42,000.00 remaining from the sale of School Bonds be deposited with the City Treasurer in a special fund called the 'City School Building Fund,' to be paid out only upon warrants signed by the Secretary and countersigned by the President of the Board of Education, and drawn for the payment of expenses incurred in the building of said school, in accordance with the estimates of the architect. Motion carried." Your instructions have been fully complied with.

A reading of the above mentioned motion—which was made by the Chairman of the Finance Committee, who is thoroughly familiar with all of the details of the financial affairs of the city—will show that it does not undertake to interfere with or to control in any way the authority of the Board of Education; the right of that Board to expend this money for purposes connected with the erection of the school building is left absolute and unconditional. It is equally apparent that it in no way extends your authority to control the expenditure of these funds for school purposes. The only thing which it does undertake is to fix the place where the money is to remain until expended for the purpose for which it was raised. By remaining where it is, it means a saving to the tax-payers of at least six hundred or seven hundred dollars; by changing the place of deposit it means that the profits arising from the use of it will go to a private corporation in which the people, as a whole, have no interest.

The explanation of this proposition is very simple. A glance at the financial statement of the affairs of the city, recently published, shows that on the first day of January, the cash balance on hand was \$3,955.29, and that the amount of interest paid on overdrafts last year was \$657.79. The city practically receives money only twice during the year; on the first of May, when the licenses become due, and during the latter part of October, when nearly, if not quite all of the taxes are paid. Under such circumstances, it is necessary, in order to pay the current expenses of the city, to borrow money, which is always repaid when the taxes are collected. It is upon this, which is usually in the form of an over-check, that the above amount of interest was paid last year. Under the agreement with the City Treasurer, in whose bank the funds are deposited, any money on deposit in which the city has any interest, even though the council has nothing to do with its expenditures, is set off against the over-check and interest paid only on the net balance. For instance, any money deposited in that bank to the credit of the Trustees of the Public Library and any money deposited to the individual credit of the City Collector before being turned over to the treasurer of the various funds such as the School, Library and City funds, are used as a credit against the over-check, although the Council has no control over the expenditure of them. In the present case, if the amount received from the sale of school bonds is left on deposit with the City Treasurer, although it is absolutely at the disposal of the Board of Education, it will fully balance any over-check the city may have during the coming year, thereby saving to the tax-payers a sum amounting to six hundred or seven hundred dollars, which would otherwise have to be paid out for interest charges.

I fully explained this matter to Mr. Dow, the President, and to Mr. Arnsperger, one of the members of the Board of Education with the suggestion that it be presented to that body for consideration. The answer to that request was presented to me on last Saturday, in the form of a demand to turn over, instantly, to the Board of Education the amount received from the sale of the bonds. That demand was presented to me by Dr. Lapsley, the Secretary, and Mr. Arnsperger, one of the members of the Board.

I said to these gentlemen that I had already complied with the direction of the Council and deposited the money with the City Treasurer, and until instructed to do so by an order of record of the same body, I had no authority to draw a warrant upon the Treasurer for that or any other sum; that the demand should be made to you at your meeting to-night. They asked me to present the matter to you, Dr. Lapsley adding emphatically that they wanted action taken to-night and did not want it deferred. I said to them that there was no reason why the Council should wish to defer action as it was a matter in which none of its members could have any personal interest; that the only people whose interests were involved were the tax-payers, and that I had always been of the opinion that those interests should be the first consideration of all public officials or of those acting in any public capacity. I also said to them that I had fully explained not only to Mr. Arnsperger but also to Mr. Dow, the President of the Board, that if the money was allowed to remain where it was, it would mean a saving to the tax-payers of six or seven hundred dollars, while if the

place of deposit was changed it simply meant that the profits arising from the use of it would go to the Citizens Bank, a private corporation in which the people were not interested. Dr. Lapsley replied, that what I said was true but the members of the Board felt that as Mr. Myall had acted as Treasurer for several years without receiving any salary, he was entitled to the use of this money; that he had allowed them to over-check and had loaned them money upon the note of the Board and they felt grateful to him for those reasons. I explained to them that as the law provided for no compensation for the Treasurer, it was impossible to pay him any in the absence of statutory provision; that the reason Mr. Myall was willing to act as Treasurer of the Board was that the money belonging to the School Fund was deposited with the financial institution of which he was the Cashier; that so far as the over-check and the notes were concerned, there could be no question of obligation in such matters when the Board paid six per cent interest for the use of the money.

I said to him also that the money was absolutely at the disposal of the Board of Education and that it was free to expend the fund for all legitimate purposes connected with the building of the school. He replied that their Treasurer did not have it and that his Board demanded that the money be turned over to that officer. In order to simplify matter, I said: "Dr. Lapsley, as I understand it, the only question in issue between the Board of Education and the Board of Council is whether the profits arising from the use of this money shall go to the tax-payers or to a private corporation in which the people have no interest." He replied: "That is the only question." This conversation was held in my office, in the presence of William Taylor and Louis Taylor, to whom I have read this statement and who will vouch for its accuracy. I only refer to them and offer the proof in advance in order that no question of veracity may arise between the members of the committee and myself. That demand coupled with the threat to institute suit if it is not complied with has been presented in writing to-night.

The only issue involved in this matter is the one tendered by me, on your behalf, and accepted for the Board of Education by its authorized and accredited representative, Secretary of that body. Upon that issue, I feel it incumbent upon me, as the Chief Executive officer of the city, to state my views. The law upon the question is not very clear. It is provided that the Council shall call the election and issue the bonds and it is also provided that the school can only be built with the concurrence of the Council. No specific mention is made of the disposition or control of funds realized from the sale of bonds and neither is the authority of the Council or the extent of the concurrence required, clearly defined. It is possible that under a strict construction of the statute, the Board of Education may have the technical right to demand that this money should be deposited with its Treasurer. On that question I am not prepared to express an opinion, but I have no hesitancy in saying that there is no provision—either express or implied—in the law which make it obligatory or in any way mandatory upon the Board of Education to insist upon making any change in the place of deposit of this money, when such change is detrimental to the interests of the tax-payers; more especially so when the fund, in its present situation, is absolutely at the disposal of the Board for the purpose of building the school. It is to be regretted that any controversy should have arisen over this question, but when both matters of principle and the interests of the tax-payers are at stake, neither should be sacrificed for the mere purpose of avoiding a conflict. Under such circumstances, it is, in my opinion, your duty to refuse to comply with this demand unless you are required to do so by a decision of the court of last resort. The opinion of the Court of Appeals upon such a question and upon such a proceeding should prove both interesting and profitable reading. If, after spending the money of the people to secure such a result, it is possible for the Board of Education, even under the forms of law, to take from the tax-payers a sum of money amounting to six hundred or seven hundred dollars and give it to a private corporation in which those tax-payers have no interest, then the Board of Education and its members should be required to assume the full responsibility of such action. You, at least, will have, not only the satisfaction of knowing that you have been faithful to the trust confided to you, but the approval, as well, of your own consciences and that of the people whose representatives you are, and whose interests you have sworn to protect.

Respectfully submitted,  
JAMES M. O'BRIEN, Mayor.

After the reading of the above communication, the Mayor respectfully submitted same to the consideration of the Council.

Mr. Parrish then made a motion to the effect that the demand of the School Board be refused because, if granted, it would be opposed to public policy. There were several seconds to the motion. The motion was then put and carried by a unanimous vote.

The sealed bids for lighting the city were then opened and read. They were referred to the Light Committee. Bids were made by the Paris Gas Company, Paris Electric Light Company, and the Cleveland Street Lighting Company.

After allowing the usual amount of claims the Council adjourned.

## Sample Copies.

We are mailing several hundred sample copies of this issue of the Bourbon News throughout the county. We ask you to look over the copy you get and if it pleases you, we would like very much to have your name on our list. The News is not offering any prizes of any kind to secure new subscribers, but will promise to give you the newsiest and best paper in Bourbon county, and guarantee to furnish you a paper that will in every respect be worth your two dollars which is our subscription price for one year.

## Hygienic Toilet Goods.

Remember that Miss Lizzie Hill has a full line of Hygienic toilet goods of every description. Give her a call if you desire any of these articles. They are the very best.

## Trust Proposition Turned Down.

It is reported on reliable authority that the District Board of the Burley Tobacco Society in session at Winchester Wednesday night, turned down a proposition of the American Tobacco Company, made through its buyers, A. L. Waiker and J. A. Downard, of Cincinnati, to buy all of the pooled tobacco under the society's control at Equity prices.

This action was taken in order to protect the independent manufacturers who have purchased the Equity tobacco when the trust refused to touch it.

## Equity Man Nominated.

S. A. Shanklin, a Society of Equity leader, was nominated by the Democrats of Mason County for the Legislature. He is said to be ready to pledge himself for Beckham if elected. The Republicans nominated C. C. Degman and adopted strong resolutions declaring for law and order.

## Wall Paper Bargains.

For the first week in March we will offer some extraordinary bargains in wall paper. Don't forget the date and the place. Thousands of patterns to select from.  
J. T. HINTON.

## Fine Sorghum.

We have just received another barrel of fine Sorghum. Telephone your order early if you want any.  
(25-2t) WM. SAUER.

## Attention, Farmers.

We have the largest and finest line of farm harness ever brought to this section. Our entire second floor is used for our harness department. You can get the best at lowest figures from us. Call and take a look.  
28-2t LAVIN & CONNELL.

## Reel-Foot

## Lake

## Fresh Fish

## To-day.

## Logan Howard's

## Dress Making!

PLAIN and FANCY SEWING.

Shirt Waist Suits and Tailored Skirts a Specialty.

MISS ROSALIE KENDRICK

500 Pleasant St., opp. Fifth St.,  
28Feb3mo PARIS, KY.

## TREES

Fruit and Ornamental.

Everything for Orchard, Lawn and Garden. Our Strawberry Plants are money makers. Try them. Write for free Catalogues. We have no agents.

H. F. Hillenmyer & Sons,  
Lexington, Kentucky.

## BIG CUT 25 Per Cent Off.

Having shipped our last and only lot of old Clothing to a St. Louis Auction House, we will for the next 30 days offer our entire new Fall line of Suits and Overcoats at 25 per cent. discount. Everything marked in plain figures—no chance for deception. Look at the price yourself marked on the tag, and deduct 1-4, and you have the price.

\$30.00 Suit or Overcoat	\$22.50
25.00 Suit or Overcoat	18.75
20.00 Suit or Overcoat	15.00
18.00 Suit or Overcoat	13.50
17.50 Suit or Overcoat	13.15
15.00 Suit or Overcoat	11.25
12.50 Suit or Overcoat	9.35

This means cost to everyone. Nothing charged during this sale, only at the old prices.

## Also Shirts.

All our \$1.50, \$2 and \$2.50 Shirts go during this Sale at \$1.15.

Our \$1 line go at 75 cents.

Come early and get your pick, while we have all sizes and kinds; Shirt sizes 14 to 18.

C. R. James,

Head-to-Foot Outfitter.

## FRANK & CO.

The Ladies' Store.

## We Are Now Showing New Spring Lines of

Hamburgs,  
White Goods,  
Ginghams,  
Soisettes,  
Shirtings,

Laces,  
Linens,  
Chambrys,  
Cheviots,  
Mercerised Ginghams.

## Dress Goods,

In all the Newest Fabrics and Latest Colorings.

## Muslin Underwear,

Beautifully made in a large variety of Styles. Lowest Prices.

## Cottons,

We are quoting very Lowest Prices on Cottons and Sheetings.

## Bargains in Shoes for Ladies and Children.

Frank & Co.,  
Paris, Ky.